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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/763,182

01/26/2004

Yohichiroh Matsuno

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EXAMINER

TIMBLIN, ROBERT M

ART UNIT

PAPER NUMBER

2167

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/763,182

Applicant(s)

MATSUNO ET AL.

Examiner

Robert M. Timblin

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/26/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 26 January 2004 and 26 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/26/2004 and 1/20/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 1-7,19-21,25-31,44,46,48,50,52,54,56,58,60,62-66,77-79,81,83-88,100,103,105,111,113,116,119 and 121.

Continuation of Disposition of Claims: Claims rejected are 1-7,19-21,25-31,44,46,48,50,52,54,56,58,60,62-66,77-79,81,83-88,100,103,105,111,113,116,119 and 121.

DETAILED ACTION

This office action corresponds to application 10/763,182 filed 1/26/2004.

Election/Restrictions

Claims 1-7, 19-21, 25-31, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62-66, 77-79, 81, 83-88, 100, 103, 105, 111, 113, 116, 119, and 121 have been provisionally elected by the Applicants with traverse in the reply filed on 11/2/2006. Accordingly, these claims are pending prosecution.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on 4/26/2004 and 1/20/2006 are accepted and being considered by the Examiner.

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 1/27/2003. It is noted, however, that applicant has not filed a certified copy of the 2003-017922 application as required by 35 U.S.C. 119(b).

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 1/27/2003. It is noted, however, that applicant has not filed a certified copy of the 2003-017923 application as required by 35 U.S.C. 119(b).

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 1/19/2004. It is noted, however, that applicant has not filed a certified copy of the 2004-011068 application as required by 35 U.S.C. 119(b).

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 1/19/2004. It is noted, however, that applicant has not filed a certified copy of the 2004-011069 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 19-21, 25-31, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62-66, 77-79, 81, 83-88, 100, 103, 105, 111, 113, 116, 119, and 121 are rejected under 35 U.S.C. 102(e) as being anticipated by McFadden (U.S. Patent Application 2003/0126137). In the cited paragraphs, figures and drawing references, McFadden teaches:

With respect to claim 1, a merge information providing apparatus (drawing references 12,14, 50, figure 1 and at least paragraph [0045]) having merge user information providing means (drawing reference 14),

said merge user information providing means (12, 14) comprising plural user information (figures 1, 7) providing means (drawing references 16, 32, and at least paragraph 0064) providing information regarding a user as subordinate user information providing means (figures 1, 7, drawing references 16, 32, and at least paragraph 0064), said merge information providing apparatus (drawing references 12,14, 50) acquiring said information regarding said user from said user information providing means (paragraphs 0037 and 0224) and providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups).

With respect to claims 2 and similar claim 26, the merge information providing apparatus of as claimed in claim 1, wherein said merge information providing apparatus comprises:

user information acquisition means for acquiring said information regarding said user from said user information providing means (paragraphs 0037, 0114 and figure 1, drawing reference 12); and

user information merging means for merging said information regarding said user acquired in said user information acquisition means (figure 1 and paragraphs 0045-0047, 0089, 0169, and 0064).

With respect to claim 3 and similar claim 27, the merge information providing apparatus as claimed in claim 2, wherein said user information acquisition means acquires said information regarding said user from said user information providing means by using first use permission information permitting the use of said user information providing means (paragraph 0064).

With respect to claim 4 and similar claim 28, the merge information providing apparatus as claimed in claim 3, further comprising use permission information acquisition means for acquiring said first use permission information from said user information providing means (figures 5 and 8).

With respect to claim 5 and similar claim 29, the merge information providing apparatus as claimed in claim 1, further comprising use permission information creation means for creating second use permission information that permits the use of said merge user information providing means (0069-0073).

With respect to claim 6 and similar claim 30, the merge information providing apparatus of the claim 5, wherein said use permission information creation means creates said second use permission information including said first use permission information by using said first use permission information (0030, 0178 and 0245).

With respect to claim 7 and similar claims 31, 66, and 87, the merge information providing apparatus as claimed in claim 1, further comprising setting means for setting up said subordinate user information providing means according to a request (0060, 0062, 0067 and figure 5; creating a spoke).

With respect to claim 19 and similar claim 58, an information providing apparatus having user information providing means for providing information regarding a user,

said user information providing means providing information regarding a designated user (0080) in response to a request from a merge user information providing means (32,42), said merge user information providing means (figure 7 and drawing references 32, 34, 42, 44) comprising said user information providing means and other user information providing means (figure 7 and drawing references 32, 34, 42, 44) as subordinate user information providing means (18, 32, 42), to said merge user information providing means (drawing references 12, 14).

With respect to claim 20, the information providing apparatus as claimed in claim 19, wherein said user information providing means further comprises user information saving means for saving said information regarding said user (0003, 0030-0032, and figures 3 and 7; user records).

With respect to claim 21, the information providing apparatus as claimed in claim 19, wherein said information regarding said user is user information (32,42) and/or

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group information of a group to which said user belong (34 44), and wherein said group information includes user information and/or group information of other user information providing means (0029, 0064, and figure 9).

With respect to claim 25, McFadden teaches this claim substantially the same as claim 1. Furthermore, McFadden teaches a setup request transmission means for transmitting a request regarding a set up of said subordinate user information providing means (0060-0064, and figure 5; establishing a spoke).

With respect to claim 44, a merge information providing method in merge user information providing means, said merge user information providing means (drawing references 12,14, 50) comprising plural user information providing means providing information regarding a user as subordinate user information providing means (Figures 1, 7, drawing references 16, 32, and at least paragraph 0064), said method comprising the steps of:

acquiring information regarding said user from user information providing means (paragraphs 0037 and 0224); and

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups).

With respect to claim 46, this claim is essentially similar to claim 19 and therefore the according rejection rationale is applied

With respect to claim 48, a managing method in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, said method comprising the steps of:

- acquiring said information regarding said user from said user information providing means (paragraphs 0037 and 0224);

- providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups); and

- transmitting a set up request requesting for a set up of said subordinate user information providing means (0060, 0062, 0067 and figure 5; creating a spoke).

With respect to claim 50, a computer-implemented method for providing merge information in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, said method comprising the steps of:

- acquiring information regarding said user from user information providing means (paragraphs 0037 and 0224); and

- providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups).

With respect to claim 52, a computer-implemented method of information in user information providing means, said user information providing means providing information regarding a user, said method comprising:

a user information offer providing step for providing, in response to a request from a merge user information providing means (32,42) comprising said user information providing means and other user information providing means as subordinate user information providing means (figure 7 and drawing references 32, 34, 42, 44), information regarding a designated user to said merge user information providing means (0080).

With respect to claim 54, a computer-implemented method of managing in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, said method comprising the steps of:

acquiring said information regarding said user from said user information providing means (paragraphs 0037 and 0224);

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups); and

transmitting a set up request requesting for a set up of said subordinate user information providing means (0060-0064, and figure 5; establishing a spoke).

With respect to claim 56, a processor-readable medium storing program code for providing merge information in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, said method comprising the steps of:

acquiring information regarding said user from user information providing means (paragraphs 0037 and 0224); and

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups).

With respect to claim 60, a processor-readable medium storing program code for managing in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, said method comprising the steps of:

acquiring said information regarding said user from said user information providing means (paragraphs 0037 and 0224);

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups); and

transmitting a set up request requesting for a set up of said subordinate user information providing means (0060, 0062, 0067 and figure 5; creating a spoke).

With respect to claim 62, a merge information providing apparatus having merge user information providing means (12, 14), said merge user information providing means comprising plural user information providing means (16, 32) providing user information (42, 32) regarding a user as subordinate user information providing means (16), said merge information providing apparatus acquiring user information regarding a user registered to the user information providing means (0080) of which use is permitted and the same user registered to other user information providing means, without distinguishing (0081, 38) the user by the user whether or not the use of said information providing means is permitted, said merge information providing apparatus providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups).

With respect to claim 63, the merge information providing apparatus as claimed in claim 62, comprising:

distinction information managing means for managing distinction information that distinguishes said user registered to said user information providing means (0056);

user information acquisition means for acquiring said user information regarding said user from said user information providing means (paragraphs 0037, 0114 and figure 1); and

user information merging means merging said user information regarding said user acquired in said user information acquisition means (figure 1 and paragraphs 0045-0047, 0089, 0169, and 0064).

With respect to claim 64, the merge information providing apparatus as claimed in claim 62, wherein said distinction information managing means provides said distinction information of said same user to said user information acquisition means in response to a request from said user information acquisition means (0056, identifying group membership).

With respect to claim 65, the merge information providing apparatus as claimed in claim 62, wherein said user information acquisition means acquires said user information regarding said user from said user information providing means by using permission (0112) information that permits the use of said distinction information and said user information providing means (0069, drawing reference 218).

With respect to claim 77, an information providing apparatus having user information providing means, said user information providing means providing information regarding a user,

said user information providing means providing information regarding said user corresponding to said distinction information that distinguishes said user registered to said information providing means and/or other user information providing means to merge user information providing means in response to a request from said merge user information providing means (0030), said merge user information providing means (12,

14) including said user information (32) providing means and other user information providing means (34) as subordinate user information providing means (figure 7).

With respect to claim 78, the information providing apparatus as claimed in claim 77, further comprising user information providing means for saving said information regarding the said user (0003, 0030-0032, and figures 3 and 7; user records).

With respect to claim 79, the information providing apparatus as claimed in claim 77, wherein said information regarding said user is user information and/or group information of a group to which said user belongs, said group information including user information and/or group information of other user information providing means (0029, 0064, and figure 9).

With respect to claim 81, the information providing apparatus as claimed in claim 78, wherein said user information providing means further comprising user information saving means for saving said information regarding to said user (0003, 0030-0032, and figures 3 and 7; user records).

With respect to claim 83, a managing apparatus, comprising:

merge information providing apparatus having merge user information providing means (12, 14), said merge user information providing means comprising plural user

information providing means (16, 32) providing user information (42, 32) regarding a user as subordinate user information providing means; and

setup request transmission means for transmitting information regarding set up of said subordinate user information providing means,

said merge information providing apparatus acquiring user information regarding a user registered (0080) to the user information providing means (figure 7 and drawing references 32, 34, 42, 44) of which use is permitted and the same user registered to other user information providing means, without distinguishing (0081, 38) the user by the user information providing means of which use is permitted, said merge information providing apparatus providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups).

With respect to claim 84, The managing apparatus as claimed in claim 83, comprising:

distinction information managing means for managing distinction information that distinguishes said user is registered to said user information providing means (0056);

user information acquisition means for acquiring said user information regarding said user from said user information providing means (paragraphs 0037, 0114 and figure 1); and

user information merging means merging said user information regarding said user acquired in said user information acquisition means (figure 1 and paragraphs 0045-0047, 0089, 0169, and 0064).

With respect to claim 85, the managing apparatus as claimed in claim 83, wherein said distinction information managing means provides said distinction information of said same user to said user information acquisition means in response to a request from said user information acquisition means (0056, identifying group membership).

With respect to claim 86, the managing apparatus as claimed in claim 83, wherein said user information acquisition means acquires said user information regarding said user from said user information providing means by using permission information that permits the use of said distinction information and said user information providing means (0069, drawing reference 218).

With respect to claim 88, the managing apparatus as claimed in claim 83, further comprising setup screen display means for displaying a screen for setting up said merge user information providing means and said subordinate user information providing means (0050).

With respect to claim 100, a merge user information providing method in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, comprising the steps of:

acquiring information regarding a user (0084) registered to said user information providing means (16, 32) of which use is permitted and the same user registered to other user information providing means, without distinguishing said user by whether or not the use of said user information providing means is permitted (0081, 38); and

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups).

With respect to claim 103, an information providing method in user information providing means, said user information providing means providing information regarding a user, comprising the step of:

providing, in response to a request from merge user information providing means (12, 14), said merge user information providing means (12, 14) comprising said user information providing means and other user information providing means as subordinate information providing means (figures 1, 7, drawing references 16, 32, and at least paragraph 0064), information regarding a user corresponding to distinction information registered to said user information providing means and/or other user information providing means for distinguishing said user to said merge user information providing means (0030-0032, 0056, 0064, 0087 and figures 7-8).

With respect to claim 105, a managing method in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, comprising the steps of:

acquiring information regarding a user (0084) registered to said user information providing means (16, 32) of which use is permitted and the same user registered to other user information providing means, without distinguishing said user by whether or not the use of said user information providing means is permitted (paragraphs 0045, 0081, 0089, 0169, and 0064); addition and inclusion of users into groups;

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups); and

transmitting a request regarding setup of said subordinate information providing means (0060-0064, and figure 5; establishing a spoke).

With respect to claim 111, a computer-implemented information providing method in user information providing means, said user information providing means providing information regarding a user, comprising the step of:

providing, in response to a request from merge user information providing means (12, 14), said merge user information providing means (32,42) comprising said user information providing means (32, 42) and other user information providing means (figures 1, 7, drawing references 16, 32, and at least paragraph 0064) as subordinate

information providing means (16) information regarding a user corresponding to distinction information registered to said user information providing means and/or other user information providing means for distinguishing said user to said merge user information providing means (0030).

With respect to claim 113, a computer-implemented managing method in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, comprising the steps of:

acquiring information regarding a user registered to said user information providing means (16, 32, 42) of which use is permitted and the same user registered to other user information providing means, without distinguishing said user by whether or not the use of said user information providing means is permitted (paragraphs 0045, 0081, 0089, 0169, and 0064);

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups); and

transmitting a request regarding setup of said subordinate information providing means (0060, 0062, 0067 and figure 5; creating a spoke).

With respect to claim 116, a processor-readable medium storing a program code for providing merge user information in merge user information providing means, said merge user information providing means comprising plural user information providing

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means providing information regarding a user as subordinate user information providing means, comprising the steps of:

acquiring information regarding a user registered to said user information providing means (16, 32) of which use is permitted and the same user registered to other user information providing means, without distinguishing said user by whether or not the use of said user information providing means is permitted (paragraphs 0045, 0081, 0089, 0169, and 0064; and

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups).

With respect to claim 119, a processor-readable medium for providing information in user information providing means, said user information providing means providing information regarding a user, comprising the step of:

providing, in response to a request from merge user information providing means, said merge user information providing means (12, 14) comprising said user information providing means (32, 42, 16) and other user information providing means (figures 1, 7, drawing references 16, 32, and at least paragraph 0064) as subordinate information providing means, information regarding a user corresponding to distinction information registered to said user information providing means and/or other user information providing means for distinguishing said user to said merge user information providing means (0030-0032, 0056, 0064, 0087 and figures 7-8).

With respect to claim 121, a processor-readable medium for managing in merge user information providing means, said merge user information providing means comprising plural user information providing means providing information regarding a user as subordinate user information providing means, comprising the steps of:

acquiring information regarding a user (0084) registered to said user information providing means (32, 16) of which use is permitted and the same user registered to other user information providing means, without distinguishing said user by whether or not the use of said user information providing means is permitted (paragraphs 0045, 0081, 0089, 0169, and 0064);

providing said acquired information regarding said user with merging (paragraphs 0045, 0089, 0169, and 0064; addition and inclusion of users into groups); and

transmitting a request regarding setup of said subordinate information providing means (0060-0064, and figure 5; establishing a spoke).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Application 2002/0103826 to Kriho et al. The subject matter therein pertains to the rejected claims (i.e. a data merge system).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert M. Timblin



Patent Examiner AU 2167
1/11/2007



**ALFORD KINDRED
PRIMARY EXAMINER**